

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 28, 1998

DIVISION ONE

B110579 People (Not for Publication)
v.
Zelig

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Masterson, J.

B111633 People (Not for Publication)
v.
Phillips and Lewis

The judgments are affirmed.

Spencer, P.J.

We concur: Masterson, J.
Dunn, J. (Assigned)

B112249 People (Not for Publication)
v.
Etheridge

The judgment of conviction is affirmed. The abstract of judgment is modified to reflect an award of 220 days in presentence custody credits and 55 days in conduct credits.

Spencer, P.J.

We concur: Ortega, J.
Dunn, J. (Assigned)

May 28, 1998-Continued

DIVISION ONE (Continued)

B112898 Sahgal (Not for Publication)
v.
Johnson

The judgment is affirmed. Defendant is to recover his costs on appeal.

Spencer, P.J.

We concur: Ortega, J.
Masterson, J.

B114024 People v. Martin (Not for Publication)

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Masterson, J.

[illegible]

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Dunn, J. (Assigned)

May 28, 1998-Continued

DIVISION ONE (Continued)

B115943 Merlo (Not for Publication)

v.

Mendoza

Department of Corporations

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.

Masterson, J.

B117150 People (Not for Publication)

v.

Ong

The order setting aside count 1 of the information is reversed and the superior court is directed to reinstate that count.

Spencer, P.J.

We concur: Ortega, J.

Dunn, J. (Assigned)

DIVISION TWO

Court convened at 9:15 A.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

B115566 Antonion

v.

Mendoza

Merits:

Argued by John Burgee for appellant and by John Adsit for respondent.

Cause submitted.

DIVISION TWO (Continued)

B108371 People
 v.
 Jaramillo

Merits:

Argued by Debi Ramos for appellant and by Chung Mar, Deputy Attorney General for respondent. Cause submitted.

B115831 Brinkman
 v.
 Weller

Merits:

Argued by Paul Steinmetz for appellant and by John Hope for respondent. Cause submitted.

B110264 People
 v.
 Cobarrubias

Merits:

Argued by Manuel Araujo for appellant and by Tom Hsieh, Deputy Attorney General for respondent. Cause submitted.

B114324 Accountants On Call
 v.
 Accustaff, Inc.

Merits:

Argued by William Waldo for appellant and by Peter Appleton for respondent. Cause submitted.

DIVISION TWO (Continued)

B109304 Werts
 v.
 Holland

Merits:
Argued by Daniel Spitzer for appellant and by James Treadwell for respondent. Cause submitted.

B118091 Jeffer
 v.
 Becker

Merits:
Argued by Jeffrey Riffer for appellant and by Ronald Gabler for respondent. Cause submitted.

B111513 American Sheds
 v.
 County of L.A.

Merits:
Argued by Cris O'Neill for appellant and by Albert Ramsayer, Deputy County Counsel for respondent. Cause submitted.

B112878 Kabayan
 v.
 Carlsmith Ball etc.
 (Yepremian, r.p.i.)

Merits:
Argued by Edwin Hausmann for appellant and by Stephen Majeda for respondent and by Daniel Floyd for respondent. Cause submitted.

DIVISION TWO (Continued)

B101283 Hodgdon
 v.
 Graham

Merits:

Argued by Richard Morse for appellant and by William Rittenburg for respondent. Cause submitted.

Court recessed.

The Court reconvened at 1:00 P.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

B112634 People
 v.
 James

Merits:

Argued by Allen Weinberg for appellant and by Karen O'Keeffe, Deputy Attorney General for respondent. Cause submitted.

B112980 People
 v.
 Rodriguez

Merits:

Argued by Ralph Goldsen for appellant and by Alan Tate, Deputy Attorney General for respondent. Cause submitted.

DIVISION TWO (Continued)

B119616 Joe E.
 v.
 Superior Court, L.A. County
 (Department of Children & Family Services, r.p.i.)

Appearances:

Jill Regal, Deputy County Counsel for real party in interest. No appearance on behalf of petitioner. Argument waived, cause submitted.

B115282 Robert B.
 v.
 Department of Children & Family Services
 (Jacqueline C., r.p.i.)

Merits:

Argued by Amy Carter, Deputy County Counsel for appellant and by William Roth for respondent. Cause submitted.

B100289 Young
 v.
 Free Arts Abused Children

Merits:

Argued by Leslie Sherman for appellant and by Gunther Schiff for respondent. Cause submitted.

B112591 Yorel W.
 v.
 Department of Children & Family Services
 (Johnny S., r.p.i.)

Merits:

Argued by Michael Salazar for appellant and by Jill Regal, Deputy County Counsel for respondent. Cause submitted.

DIVISION TWO (Continued)

B112680 Mesa
 v.
 Atchison, Topeka Santa Fe

Merits:
Argued by Charlotte Costan for appellant and by Dean Dennis for
respondent. Cause submitted.

Mr. Justice Zebrowski leaves the bench.

B111887 Joshua L.
 v.
 County of L.A.
 (Sotero L., r.p.i.)

Merits:
Argued by Ken Weston for appellant and by Gary Gross for respondent.
Cause submitted.

B113223 Williams
 v.
 Shammas Corp.

Merits:
Argued by Peter Callahan for appellant and by Clayton Calhoun for
respondent. Cause submitted.

B114440 Nissan Motor Corp.
 v.
 Jim Bess Nissan Inc.

Merits:
Argued by Michelle McAloon for appellant and by Maurice Sanchez for
respondent. Cause submitted.

Court adjourned.

DIVISION TWO (Continued)

B106142 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Daniel P.L.

The termination order is reversed and the matter is remanded for a hearing on the content of the exit orders.

Zebrowski, J.

We concur: Boren, P.J.
 Fukuto, J.

B113682 People (Not for Publication)
 v.
 Mendoza

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

DIVISION FOUR

B109285 Veltman (Not for Publication)
 v.
 County of Los Angeles

Having discussed all of the contentions raised by respondent with respect to the constitutionality of SB 727, we conclude that there are no grounds upon which we can uphold the trial court's decision. Accordingly, we reverse the judgment, and vacate the order awarding attorney fees as well.

The judgment and order awarding costs and attorney fees is reversed and the matter is remanded to the trial court to enter judgment in favor of appellants the County and the MTA. Costs are awarded to appellants.

Hastings, J.

We concur: Epstein, Acting P.J.
 Czuleger, J. (Assigned)

DIVISION FIVE

B103900 Joe Torres, et al. (Not for Publication)
 v.
 Martin Krell

The judgment is affirmed. Plaintiff to bear costs on appeal.

Armstrong, J.

We concur: Turner, P.J.
 Godoy Perez, J.

B113808 Barbara Brock (Certified for Publication)
 v.
 Air Products & Chemicals, Inc. et al

The judgment is reversed. Plaintiffs Barbara and Bernard Brock are to recover their costs jointly and severally from defendants.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B113809 Robert J. Till et al. (Not for Publication)
 v.
 Ablestik Laboratories et al.

The judgment is reversed. Plaintiffs, Robert J. and Helena Till shall recover their costs jointly and severally from defendants.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

[illegible]

The order denying release of Brown-Mere to outpatient status is affirmed.

Stone, P.J.

We concur: Gilbert, J.
 Yegan, J.

(Not for Publication)

B115961 Santa Barbara County Dept. of Social Services
v.
Robert S.

The trial court's orders awarding permanent custody of the children to the mother and dismissing the dependency action are affirmed.

Stone, P.J.

We concur: Gilbert, J.
 Coffee, J.

B116555 People (Not for Publication)
v.
Silerio

The judgment is affirmed.

Stone, P.J.

We concur: Yegan, J.
Coffee, J.

May 28, 1998-Continued

DIVISION SIX (Continued)

B118265 People (Not for Publication)
v.
Lee

The judgment is affirmed.

Stone, P.J.

We concur: Gilbert, J.
 Yegan, J.

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The judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.
 Yegan, J.

B112984 John Hancock Mutual Life Ins. (Not for Publication)
v.
Currie

The order awarding attorneys' fees to respondent John Hancock, is modified to read "\$12,110.95" in place of "\$47,000." As modified, the judgment is otherwise affirmed. Respondent John Hancock's motion for sanctions under rule 26(e) is denied. Both parties are to bear their own costs on appeal.

Coffee, J.

We concur: Gilbert, Acting P.J.
 Yegan, J.